

1 TONY WEST
Assistant Attorney General

2 JOSEPH P. RUSSIONIELLO
United States Attorney

3
4 ELIZABETH J. SHAPIRO
Deputy Branch Director
5 CARLOTTA P. WELLS
Senior Trial Counsel
6 United States Department of Justice
Civil Division
7 Federal Programs Branch
Post Office Box 883
8 Washington D.C. 20044
Tel: (202) 514-4522
9 Fax: (202) 616-8470
carlotta.wells@usdoj.gov

10 Attorneys for Defendants
11

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION
15

16 JOSHUA GERSTEIN,
17 Plaintiff,
18 v.
19 CENTRAL INTELLIGENCE AGENCY,
et al.,
20 Defendant.
21

Case No. C 06-04643 MMC

**STIPULATION TO EXTEND
DEADLINE FOR FILING CASE
MANAGEMENT REPORT AND TO
CONTINUE CASE MANAGEMENT
CONFERENCE AND ~~PROPOSED~~
ORDER**

22 The parties hereby stipulate to extend the deadline for filing the Joint Case Management
23 Report, which is currently due July 31, 2009, and to continue the case management conference set
24 for August 7, 2009. The bases for this stipulation are as follows:

25 1. As of March 6, 2009, the following motions were fully briefed and submitted to the
26 Court: defendant's renewed motion for summary judgment; plaintiff's motion for partial summary
27 judgment against defendant Central Intelligence Agency; and plaintiff's motion to modify
28

1 stipulation and order dismissing certain pending claims. These motions address all issues
 2 presently outstanding in this case.

3 2. By order dated May 18, 2009, the Court set the above-noted case management report
 4 and conference dates.

5 3. Inasmuch as the Court has yet to issue decisions with respect to the pending motions, it
 6 is difficult for the parties to identify the issues that may remain in the case for purposes of
 7 drafting and filing a case management report. Similarly, without knowing the extent to which
 8 issues may remain in the case after the Court decides the pending motions, it does not make sense
 9 to hold a case management conference.

10 4. For these reasons, the parties request that the present deadlines be vacated and that the
 11 case management report currently due on July 31, 2009 be deferred until two weeks after the
 12 Court rules on the pending motions. The parties further request that a case management
 13 conference be scheduled at the Court's first regular Friday 10:30 a.m. session at least three weeks
 14 after the Court rules on the pending motions.

15 Respectfully submitted,

16 JOSHUA GERSTEIN

TONY WEST
 Assistant Attorney General


17
 18 /s/
 19 Plaintiff

/s/
 Carlotta P. Wells
 Senior Trial Counsel
 United States Department of Justice
 Civil Division
 Federal Programs Branch

20
 21
 22
 23 Dated: July 29, 2009

Dated: July 29, 2009

PURSUANT TO STIPULATION, IT IS SO ORDERED.


MAXINE M. CHESNEY
United States District Judge